

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BAYOU CITY WATERKEEPER
Plaintiff

v.

CITY OF HOUSTON
Defendant

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CIVIL ACTION NO. 4:18-cv-03369

**DEFENDANT CITY OF HOUSTON'S
UNOPPOSED MOTION TO EXTEND DISCOVERY STAY**

Defendant City of Houston (the “City”) requests that the Court extend the current stay of discovery an additional 30 days until September 30, 2020. The United States of America and the State of Texas have filed their Motion to Enter the Consent Decree. The current stay expires at midnight on August 31, 2020.

In its August 4, 2020 Order, the Court stayed discovery in this case until August 31, 2020, because of the pending Consent Decree that has been lodged in the related lawsuit filed against the City by the United States of America and the State of Texas that is now pending in Judge Eskridge’s court: *United States v. City of Houston*, No. 4:18-CV-3368 (S.D. Tex.) (the “United States’ Lawsuit”).¹ The Court stated that if “the settlement in the United States’ Lawsuit has not been finalized by that date, the parties may request an extension of the stay.”²

The United States and Texas previously lodged the Consent Decree containing the terms of the settlement in the United States’ Lawsuit.³ On August 7, 2020, the United States and Texas

¹ See Doc. 39. The United States’ Lawsuit was previously in Judge Werlein’s court. On October 23, 2019, the United States’ Lawsuit was transferred to Judge Eskridge’s court. See Doc. 41 in the United States’ Lawsuit.

² *Id.*

³ Doc. 27.

filed a motion in the United States' Lawsuit asking the court to approve the Consent Decree.⁴ Because of issues related to Hurricane Laura, Bayou City Waterkeepers is requesting additional time to respond to the motion to approve the Consent Decree.

To ensure that the stay is extended until the Motion to Enter the Consent Decree is decided, the City, therefore, requests that the Court extend the current stay on discovery an additional 30 days, until September 30, 2020.

⁴ Doc. 42 in United States' Lawsuit.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2020, a copy of the above document was served on all counsel of record via the Court's electronic filing system.

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CERTIFICATE OF CONFERENCE

I hereby certify that on August 27, 2020, I conferred with Plaintiff Bayou City Waterkeeper's counsel Lauren Ice, who informed me that Plaintiff Bayou City Waterkeeper does not oppose the Court granting the relief requested in this motion.

/s/ Debra Tsuchiyama Baker
Debra Tsuchiyama Baker